

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: May 19, 2004

Division: COUNTY ATTORNEY

Bulk Item: Yes ☐ No ☒

Department: COUNTY ATTORNEY

**AGENDA ITEM WORDING:** To discuss further activities relative to the Florida City Development of Regional Impact by Atlantic Civil, Inc.

**ITEM BACKGROUND:**

The County Commission passed Resolution #167-2004 concerning the Florida City DRI, and directed staff to monitor this project. The County Attorney's office is asking for some directions concerning the monitoring of the project.

**PREVIOUS RELEVANT BOCC ACTION:**

Passed Resolution #167-2004 opposing the Florida City DRI (see attached).

**CONTRACT/AGREEMENT CHANGES:**

N/A

**STAFF RECOMMENDATIONS:**

None at this time.

**TOTAL COST:** Unknown

**BUDGETED:** Yes ☐ No ☒

**COST TO COUNTY:** Unknown

**SOURCE OF FUNDS:** \_\_\_\_\_

**REVENUE PRODUCING:** Yes ☐ No ☒ **AMOUNT PER MONTH** \_\_\_\_\_ **Year** \_\_\_\_\_

**APPROVED BY:** County Att [Signature] OMB/Purchasing \_\_\_\_\_ Risk Management \_\_\_\_\_

**DIVISION DIRECTOR APPROVAL:**

[Signature] 05/10/04  
(TYPE NAME HERE)

**DOCUMENTATION:** Included ☐ To Follow ☐ Not Required ☐

**DISPOSITION:** \_\_\_\_\_

**AGENDA ITEM #** P7

MAY-10-04 13:08 FROM MONROE COUNTY CLERK

**RESOLUTION NO. 167 - 2004**

**A RESOLUTION OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS EXPRESSING CONCERNS ABOUT A LARGE-SCALE MIXED USE DEVELOPMENT, PROPOSED BY ATLANTIC CIVIL, INC., REFERRED TO AS THE FLORIDA CITY DEVELOPMENT OF REGIONAL IMPACT (DRI), AND DIRECTING COUNTY PRESENTATIVES TO THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL AND STAFF TO COMMUNICATE THE COUNTY'S CONCERNS IN THE DEVELOPMENT REVIEW PROCESS AND OPPOSE ANY ELEMENT OR PHASE OF THE DEVELOPMENT THAT WILL NEGATIVELY IMPACT THE HEALTH, SAFETY AND WELFARE OF MONROE COUNTY CITIZENS OR WILL HAVE A DETRIMENTAL EFFECT ON THE ENVIRONMENT AND ECONOMIC BASE OF MONROE COUNTY.**

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**WHEREAS**, Atlantic Civil, Inc. proposes to develop 1,465 acres of a 3,187 acre tract located approximately at the junction of Card Sound Road, U.S. 1 and the Florida's Turnpike in south Miami-Dade County, hereinafter called the "Florida City DRI"; and,

**WHEREAS**, the proposed Florida City DRI development consists of 6,000 dwelling units, 300,000 square feet of retail, 90,000 square feet of office, an 1,800 seat theater, 240 hotel rooms, a Kindergarten to 8<sup>th</sup> grade school, a high school, and 60 acres of parks to be developed over a ten-year period; and,

**WHEREAS**, the proposed development requires approval as a Development of Regional Impact under Chapter 380, Florida Statutes; and,

**WHEREAS**, the subject parcel requires amendments of the Miami-Dade County Comprehensive Development Master Plan Future Land Use Map (FLUM) and, the 2005 Urban Development Boundary (UDB), as it is located outside the 2005 Urban Development Boundary; and,

**WHEREAS**, a significant amount of vacant, developable land already exists with existing or programmed infrastructure and public services within the existing UDB north of the subject development to easily accommodate the demand for tens of thousands of new dwellings and large scale commercial, office, and other non-residential development in South Miami-Dade without having to expand the existing UDB further towards the Florida Keys and environmentally sensitive lands; and,

**WHEREAS**, an expansion of the UDB will only further encourage urban sprawl and leap-frog development, and the additional loss of valuable, irreplaceable agriculture lands and open space in Southwest Miami-Dade County; and,

**WHEREAS**, the expansion of the 2005 Urban Development Boundary will lead to further requests to expand the Urban Development Boundary (UDB) in Southwest Miami-Dade County to the further detriment of Monroe County and the fragile Everglades, Florida Bay, Biscayne Bay, and Florida Keys ecosystem; and,

**WHEREAS**, the proposed development, which is all located within the 100-year flood plain, has potential adverse impacts for the full implementation of the Everglades Restoration Plan as it may well change the existing flood water holding capacity of the area, and the historic drainage and flow patterns of surface water to the Everglades, Florida Bay, and Biscayne Bay; and,

**WHEREAS**, stormwater from such development could lead to increased stormwater pollution loading into Florida Bay and the Everglades, further degrading the quality of water surrounding the Florida Keys which is vital for sustaining the commercial fishing and tourism economy of the Florida Keys; and,

**WHEREAS**, the proposed development is in a location approximate to the Florida Keys Aqueduct Authority's well fields that provide Monroe County with its primary source of drinking water and may have potential detrimental impacts on the yield capacity of this well system, which is already severely constrained; and,

**WHEREAS**, the proposed development will place increased permanent and transient population within easy access to Monroe County that will further add to the number of "weekend and day-trippers" to the Florida Keys further overwhelming the capacity of the County's infrastructure and services; and,

**WHEREAS**, the project is located within an area recommended in the Miami-Dade Hurricane Evacuation Plan for evacuation during a Category 2 or greater hurricane; and,

**WHEREAS**, the proposed development will utilize SW 360<sup>th</sup> St. to create a main exit point at the critical junction of Highway 1 and Card Sound Rd, which is the sole hurricane evacuation route from the Florida Keys; and,

**WHEREAS**, the loading of additional evacuation traffic from this proposed development at this critical road junction may detrimentally place the safety of the persons living and visiting the Florida Keys at much greater risk by increasing hurricane evacuation times and the possibility of life-threatening traffic jams during evacuation; and,

**WHEREAS**, future development in the Florida Keys is directly tied to the time necessary to evacuate the Florida Keys, as evacuation is mandatory for residents and visitors for any Category 3 or greater hurricane; and,

**WHEREAS**, under the current Hurricane Evacuation Model, the Florida Keys are already over the 24 hour standard that is required by the State of Florida and the County's Year 2010 Comprehensive Plan; and,

**WHEREAS**, increasing the evacuation times for the Florida Keys resulting from the impacts of this development may even further limit the development of the Florida Keys in a

MAY-10-04 10:00 AM

manner that detrimentally impacts the Florida Keys economy and the capabilities of the County and its municipal governments to acquire environmentally sensitive lands, provide needed work force housing, and generate sufficient revenues to fund wastewater improvements to meet the stringent 2010 wastewater treatment standards mandated by the State; and,

**WHEREAS,** the Monroe County Board of Commissioners is further concerned that such an adverse impact may jeopardize the ability of the County to fully meet the commitments of the partnership that the County recently entered into with the State of Florida to revise Rule 28.20, Florida Administrative Code governing the Florida Keys Areas of State Critical Concern;

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, THAT:**

**Section 1:** The intensity and location of development proposed under the Florida City DRI may have significant adverse primary impacts on the Florida Keys in terms of hurricane evacuation, potable water supply, the Everglades Restoration Program, and Florida Bay and Biscayne Bay water quality. Potential secondary adverse impacts on the County resulting from the development will be an increase in the numbers of day and weekend trippers to primarily the Upper and Middle Keys further overwhelming the already constrained capacity of the County's infrastructure and services.

**Section 2:** The project will only further encourage and induce additional urban sprawl in South Miami-Dade by expanding the Urban Development Boundaries eventually leading to the elimination of the last acres of open space and agricultural lands remaining in South Miami Dade County and placing even further unnecessary strains on the viability of the Everglades and Florida Bay ecosystem.

**Section 3:** If approved as proposed, the project and similar large-scale developments already occurring unimpeded in South Miami-Dade County may well threaten the County's long-term ability for sustainable development in terms of providing economic and housing opportunities for residents without compromising the biodiversity of the natural environment and continued ability of the natural and man-made systems to sustain livable communities in the Florida Keys for future generations. In the short-term it threatens to limit the County's ability to follow through on commitments made to the Governor and Cabinet and Florida Department of Community Affairs to address wastewater, affordable housing, and acquisition of significant upland habitat issues.

**Section 4:** The County's representatives to the South Florida Regional Planning Council are directed to represent the County's concerns before that body concerning the proposed Florida City DRI and before other state and local governing and advisory bodies as appropriate. With the assistance of County staff, the representatives are also directed to report back to the Board with status reports and recommendations on any further Board action on this proposed development.

**Section 5:** The County Administrator is directed to instruct staff to continue to monitor the DRI review and approval process for this project, including reviewing and providing input on the final DRI application and supporting amendments to the Miami-Dade County Comprehensive Development Master Plan Future Land Use Map and 2005 Urban Development Boundary; and prepare recommendations, as appropriate, for the Board's consideration to be submitted to the

State of Florida, South Florida Regional Planning Council, Miami-Dade County, or other appropriate governing or advisory body.

**Section 6:** Monroe County will oppose, and direct its staff to oppose, any element or phase of the proposed development that it is shown to have a deleterious and negative impact, either directly or indirectly, on the health, safety, and welfare of its residents and on the environment and tourism economic base of the Florida Keys.

**Section 7:** The County Administrator is requested to send an executed copy of this resolution to the Florida Department of Community Affairs, South Florida Regional Planning Council, and Miami-Dade County Commission requesting that the County's concerns and issues identified by this resolution be fully addressed by the applicant in its project assessment for the DRI and application for amendments to the Miami-Dade County Comprehensive Development Master Plan Future Land Use Map and 2005 Urban Development Boundary.

**PASSED AND ADOPTED** by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 21st day of April, 2004.

Mayor Murray E. Nelson	<u>absent</u>
Mayor Pro Tem David P.	<u>yes</u>
Commissioner George Neugent	<u>yes</u>
Commissioner Dixie Spehar	<u>yes</u>
Commissioner Charles "Sonny" McCoy	<u>yes</u>

(Seal)

Attest: DANNY L. KOLHAGE, Clerk

Attest: *[Signature]*  
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

By: *[Signature]*  
Mayor Pro Tem

FLCityblockage

MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM:  
*[Signature]*  
ROBERT N. WOLFE  
CHIEF ASSISTANT COUNTY ATTORNEY  
Date 5-4-04

FILED FOR RECORD  
2004 MAY -7 AM 11:49  
DANNY L. KOLHAGE  
CLK. CIR. CT.  
MONROE COUNTY, FLA.